DOCUMENT RESUME

ED 340 620 SO 020 027

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TITLE Sexual Harassment in Education.
INSTITUTION Indiana Univ., Bloomington. Office of Learning Resources.
PUB DATE Feb 88
NOTE 7p.; Printed on colored paper.
PUB TYPE Guides - Non-Classroom Use (055) -- Collected Works - Serials (022)
JOURNAL CIT Teaching and Learning at Indiana University; Feb 1988

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS College Environment; College Students; Educational Policy; Females; Higher Education; *School Policy; *Sex Bias; *Sexual Harassment; *Teacher Student Relationship; *Womens Studies
IDENTIFIERS *Indiana University Bloomington

ABSTRACT

Three situations of sexual harassment, typical of the complaints received by various departments and offices on all Indiana University campuses, are presented. According to the National Advisory Council on Women's Educational Programs, "academic sexual harassment is the use of authority to emphasize the sexuality or sexual identity of a student in a manner which prevents or impairs that student's full enjoyment of educational benefits, climate, or opportunities." Gender harassment, as defined by the Modern Language Association's Commission on the Status of Women, "consists of discriminatory behavior directed against individuals who belong to a gender group that the aggressor considers inferior." Most universities offer a variety of channels for effective informal resolution of harassment complaints. Several of these are discussed and addresses for the Affirmative Action offices on Indiana University campuses are provided. The Indiana University "Policy and Procedures Related to Sexual Harassment" is presented. A 39-item selected bibliography on sexual harassment in education and subtle discrimination in the classroom is included. (GEA)

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ED340620

TEACHING AND LEARNING at Indiana University

Published by the University Office for Learning Resources

February 1988

Sexual Harassment in Education

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Professor Doe, who teaches a graduate-level required course, frequently jokes with his students during class; his jokes usually are about sexual matters and include graphic descriptions of female bodies. In the third week of the semester, graduate student Kate talks with the Professor after class and tells him quietly that she finds his jokes offensive because they depict women as sex objects. Professor Doe tells Kate that "women need to develop a sense of humor if they are going to succeed in this field." He stops calling on Kate in class, continues telling the jokes but apologizes profusely to Kate every time he tells one, and Kate becomes uncomfortable in class. She soon decides to drop the class, but discovers that Professor Doe is the only faculty member who teaches this required course.

SO 020 037

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TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

Is this harassment? Is Professor Doe's treatment of Kate illegal? What can Kate do? Is she being overly sensitive or prudish about the jokes?

Craig, an AI who teaches an undergraduate required course, is frequently distracted by Kimberly who sits in the front row. She wears short skirts or tight jeans to class. Craig is uncomfortable and wonders how to address the problem. One day, Kimberly leans across his desk and asks, "Isn't there something extra I can do to improve my grade?"

Artwork by Jim Hull

How should Craig handle Kimberly's questions? What if he is attracted to her? (After all, they are almost the same age . . .) Is Kimberly being flirtatious or seductive?

Three times per semester the students in a creative arts class are required to meet privately with Professor Jones to discuss their work. During her second conference, Connie is uneasy because the professor briefly puts his hand on her knee. Later he puts his arm around her shoulders while discussing her work. Connie feels that Professor Jones is making a pass at her and that if she rejects him he will lower her grade. She is afraid to go back for the third conference, especially after she learns from other students that Professor Jones has a reputation as "a lech." Connie begins to cut class; every time she goes to class she feels nauseous.

What can Connie do? *Is* Professor Jones out of line? If he is a lecherous professor, why hasn't his department or the university done something by now? Where can Connie go for help without ruining her chances in the department? What about Professor Jones' career if she charges him with harassment?

Connie discusses her problem with her friend Brad who is also in the class. Brad is annoyed with her. "What did you do to lead him on?" he asks. Later he tells a friend, "She'll probably get a good grade just for flirting with him. Women really have

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an advantage with this professor. I'm being discriminated against because I'm a guy."

Is Brad being discriminated against? Does Connie have an advantage in this situation? Was Connie flirting with the professor?

These stories are typical of the kinds of sexual harassment complaints received by various departments and offices on all I.U. campuses. They are fictitious and the names are not chosen to reflect on the conduct of any person. But they *are* typical. They are examples of sexual harassment, gender harassment or, at best, the confusion that sometimes results when men and women work together in academe. Most harassers are men, most victims are women.

Mary Rowe, Ph.D. is a leading expert on campus sexual harassment and an ombudswoman at M.I.T. She states, "In my office, 99 percent of the alleged offenders are male—95 percent of the complaints are from women."

All teaching professionals, students, parents, and administrators deserve to know the facts about sexual and gender harassment in order to avoid these uncomfortable situations.

No one wants to be found guilty of sexual harassment and even informal resolution of complaints is a complicated, time-consuming and emotionally draining process for all concerned. The accused, the alleged victim, advocates for the victim, and university administrators all must devote time and energy to resolving a situation that could have been avoided. As with most institutional problems, the solution to the many difficulties involved in cases of harassment and alleged harassment rests with all members of the university community.

DEFINITION

While there is no universally agreed-upon definition of sexual harassment, the National Advisory Council on Women's Educational Programs has written a definition that is frequently used. The Advisory Council states:

> "Academic sexual harassment is the use of authority to emphasize the sexuality or sexual identity of a student in a manner which prevents or impairs that student's full enjoyment of educational benefits, climate or opportunities . . . [Sexual harassment may be described as] (1) generalized sexist remarks or behavior; (2) inappropriate and offensive, but essentially sanction-free sexual advances; (3) solicitation of sexual activity or other sex-linked behavior by promise of rewards; (4) coercion of sexual activity by threat of punishment; and (5) assaults."

Gender harassment differs somewhat from sexual harassment and has been defined by the Modern Language Association's Commission on the Status of Women:

> "Gender harassment is considerably less dramatic in its manifestations than sexual harassment, but because it is more widespread, it seems more pernicious. It consists of discriminatory behavior directed against individuals who belong to a gender group that the aggressor considers inferior . . . The forms are often verbal—statements and jokes that reveal stereotypical discriminatory attitudes."

These definitions provide answers to the questions about Professor Doe's behavior. His conduct is clearly discriminatory and hence illegal.

RESOLUTION

Most universities offer a variety of channels for effective informal resolution of complaints described above. Informal procedures protect all parties involved in the complaint. Faculty members and students can call upon Affirmative Action offices, student advocates, women's affairs offices, women's centers, counseling centers, and deans of students for advice and assistance. Graduate AIs, who are both graduate students and instructors can turn to these sources for assistance as well. A directory of affirmative action officers on the IU campuses is provided below.

Connie, Craig, Kate, and even Brad can seek assistance from the campus offices responsible for handling harassment matters. There they might learn of several effective informal resolution techniques.

The victim can write a letter to the harasser. (Many grievance procedures suggest that the student speak privately with the harasser to attempt to resolve the situation. But for both Connie and Kate, that is where the problem began—in private). Detailed information about how to write such a letter is included in publications from the Association of American Colleges Project on the Status and Education of Women available from the Office for Women's Affairs at IU Bloomington.

An advocate or department chair can speak informally with the alleged harasser to resolve the complaint informally. It is possible that a student may misinterpret a professor's actions. Connie, for example, may have read Professor Jones' friendly gestures as a sexual come-on. *The effect of the professor's actions is what matters.* As one definition of sexual harassment states, ". . . the effect of the objectionable acts is to limit or deny full and equal participation . . ." When Connie fears further action by her professor, she is denied equal access to the climate of opportunity in the university. Her complaint must be taken seriously. If Professor Jones' intent was to encourage Connie as a student and to take a friendly interest in her work, he will want to know that his actions have been misread. He may well want to apologize to her and to ask how he can provide a more comfortable setting for their next conference about her work. Informal resolution of a complaint provides Professor Jones with information about his student and an opportunity to show his good intentions. The professor's career and reputation are not threatened and the situation can be resolved for both Connie and Professor Jones.

If Connie interpreted Professor Jones' actions accurately, his reputation as "a lech" may be

deserved. University administrators should know if other complaints about this faculty member have been received in the past and how they were handled. If Professor Jones uses his authority to demand sexual favors from his students, either explicitly or implicitly, he must be censured and prevented from harassing students or colleagues in the future. Should Professor Jones' harassment continue, there is risk to the university (court cases are costly and media coverage can be damaging) and to the professor. The damage to students is the greatest risk. Sexual harassment often has the same effect as rape and attempted rape on a victim. Indeed, some sexual harassment is attempted rape.

But what about instructors who, like Craig, are faced with a student whose dress, actions, and conversation indicate a sexual interest in the teaching professional? The responsibility for the teacher-student relationship must fall on the professional. He is responsible for maintaining an educational climate in the classroom and for setting the tone for his relationship with students. Craig is in a difficult position since he and his student are near the same age, but he must let her know that he will accept her question as a serious one. His answer to her question about how to improve her grade can be stated in language and a tone of voice that make it clear that he does not encourage or condone sexual harassment or exploitation of students by teachers. Perhaps Craig can also ask a trusted faculty member who is more experienced for pointers.

It is also possible that Craig has misinterpreted Kimberly's intentions. In two separate recent studies, a high percentage of men viewed a woman's conversation with them as a sexual "come on" when the women involved intended to be friendly and not sexual. It is quite possible that such misunderstandings between men and women occur between teachers and students.

In cases where a student or teaching professional suspects that sexual or gender harassment is occurring the following actions are recommended:

1. Document all conversations and questionable actions, noting the date, time, details of the interaction, and any witnesses.

2. Tell someone who can be trusted. If that person is not supportive, tell someone else until appropriate support is certain. Harassment has serious emotional consequences and victims deserve support.

3. Avoid being alone with the harasser; take friends or an advocate to conferences and meetings. Avoid meeting in locations that can be interpreted as social such as restaurants, bars, or parties.

4. Ask the department chairperson or a campus support office to assist in resolving the situation informally.

If all else fails, it is helpful to remember that sexual harassment is against the law. While formal resolution—a lawsuit or charge of discrimination—is costly both financially and emotionally, such an action is possible.

SEXUAL HARASSMENT IS NOT THE VICTIM'S FAULT. ENLIGHTENED TEACHING PROFESSIONALS TREAT ALL STUDENTS WITH RESPECT.

If you would like more information, contact:

Deborah Hamilton
University Director of Affirmative Action
University Office of Affirmative Action
Bryan Hall 108
Bloomington, Indiana 47405
(812) 335-7559

Each campus has an Affirmative Action office at the following locations:

Marcia Donnerstein
Affirmative Action
Bryan Hall 207
Indiana University
Bloomington, Indiana 47405
(812) 335-4859

Lincoln Lewis
Affirmative Action
355 North Lansing
Administration Building 140
Indiana University-Purdue University
Indianapolis, Indiana 46202
(317) 264-3963

Henry Merrill
Affirmative Action/Student Services
2325 Chester Boulevard
Indiana University East
Richmond, Indiana 47374
(317) 966-8261 Ext. 245

Donna Middleton
Affirmative Action
Kettler Hall, Room 175
2101 Coliseum Boulevard East
Indiana University-Purdue University at Fort Wayne
Fort Wayne, Indiana 46805
(219) 482-5434 Ext. 6106

Herbert Miller
Affirmative Action
2300 South Washington Street
Indiana University at Kokomo
Kokomo, Indiana 46902
(317) 453-2000 Ext. 351

Mary Ellen Meade
Affirmative Action
3400 Broadway
Hawthorn, Room 241
Indiana University Northwest
Gary, Indiana 46408
(219) 980-6548

Karen White
Affirmative Action
1700 Mishawaka Avenue
Post Office Box 7111
Indiana University at South Bend
South Bend, Indiana 46634
(219) 237-4124

Sandra French
Affirmative Action
4201 Grant Line Road
CV020
Indiana University Southeast
New Albany, Indiana 47150
(812) 945-2731 Ext. 393

INDIANA UNIVERSITY
POLICY AND PROCEDURES
RELATED TO SEXUAL HARASSMENT

APPLIES TO: University faculty, staff and students

POLICY: Indiana University strives to provide an environment that fosters respectful behavior. The University does not tolerate sexual harassment of students or employees and responds to every complaint, providing proper remediation when harassment is determined.*

This policy is in keeping with the University's commitment to the principle of equal educational and occupational opportunities for all persons and to positive action towards the elimination of discrimination in all phases of university life, as set forth in the I.U. Affirmative Action Plan.

PROVISIONS: Employees and students have the right to raise the issue of harassment, and are protected by faculty and staff personnel policies and student codes. Sexual harassment can be a grievous action having serious and far-reaching effects on the careers and lives of individuals. False accusations can have similar impact. Thus the charge of sexual harassment is not to be taken lightly by a charging party, a respondent, or any other member of the university community.

Prevention is the best tool for the elimination of sexual harassment. Each dean, director, department chairperson and/or administrative officer is responsible within his/her area of jurisdiction for the implementation, dissemination, and explanation of this policy. It is the obligation of each faculty, staff, or student member of the University to adhere to this policy.

DEFINITION: Unwelcome sexual advances—requests for sexual favors and other verbal or physical conduct of a sexual nature—constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or
3. Such conduct has the effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.

COMPLAINT PROCEDURES: Individuals who believe that they have been sexually harassed should notify either their supervisor, an academic or student services dean or official, and/or the campus affirmative action officer. Because of the sensitive and discriminatory nature of charges of sexual harassment, complaint procedures will observe the following principles:

1. Efforts will be made to restrict access to the investigative and grievance procedures to the complainant, the respondent, and those immediate persons involved in processing the matter.
2. The Offices of Affirmative Action shall serve as a resource with regard to interpretation of sexual harassment guidelines. That office, or its designated agent, will advise and consult with either or both parties to the complaint.
3. In the event of a formal investigation of a complaint, the Campus Affirmative Action Officer or the Director of Affirmative Action, as lines of authority indicate, will conduct and/or ascertain that proper investigation and grievance procedures are followed.
4. Investigations will be conducted as quickly as possible, and results will be reported to both parties involved.
5. In the event that a complaint is found valid, action will be taken through appropriate channels of the University to rectify the situation and to assure that such incidents do not occur in the future. University grievance channels for appeal will be open to either the charging party or the respondent.
6. Special caution must be taken by the accused party to avoid the appearance of retaliation against an individual because of the filing of a complaint.

APPROVED: Administrative Committee, February 23, 1982
Indiana University, Board of Trustees

* Equal Employment Opportunity Commission "Guidelines on Discrimination Because of Sex" (29 CFR 1604.11) define sexual harassment and consider it a violation of Title VII of the Civil Rights act of 1964.

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